



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 5  
77 WEST JACKSON BOULEVARD  
CHICAGO, IL 60604-3590

DEC 10 2002

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

REPLY TO THE ATTENTION OF:

Ms.

Englewood, OH 45322

Re: Follow up to a Request for Information Pursuant to Section 104 of CERCLA for South Dayton Dump in Moraine, Ohio

Dear Ms.

On, May 3, 2002, the United States Environmental Protection Agency (U.S. EPA) issued an information request to you pursuant to the Federal Superfund law Section 104(e) of the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA) as amended, 42 U.S.C. §9604(e). A copy of that information request is enclosed with this letter. The information request was delivered to you by certified mail on May 7, 2002. The information request required certain documents and information be provided within thirty (30) days of your receipt of this letter.

Although the deadline has passed, U.S. EPA still has not received any response to its information request. To assist U.S. EPA in gathering information about contamination at the Site, please provide a complete response to the information request immediately.

If you have not responded to the information request because you are concerned that your responses may contain information that you consider "confidential," please be advised that you cannot withhold information or records upon that basis. Please refer to Enclosure 5 of the original letter to assert a business confidentiality claim.

Continued failure to comply with U.S. EPA's information request, or to adequately justify such failure to respond, may subject you to enforcement action seeking to compel compliance and collect penalties of up to twenty-seven thousand dollars (\$27,500) per day of noncompliance pursuant to Section 104(e)(5) of CERCLA, 42 U.S.C. §9604(e)(5). U.S. EPA has the authority to use the information requested herein in an administrative, civil, or criminal action.

US EPA RECORDS CENTER REGION 5



507361

Your response to the information request should be mailed to:

Deena Sheppard-Johnson  
Enforcement Specialist  
U.S. Environmental Protection Agency  
Remedial Enforcement Support Section  
77 West Jackson Boulevard SR-6J  
Chicago, IL 60604-3590

Please contact Deena Sheppard, Enforcement Specialist, at  
(312) 886-7048 if you have any questions regarding this matter.

Sincerely yours,

A handwritten signature in black ink, appearing to read "Thomas C. Marks", is written over a horizontal line.

Thomas C. Marks, Chief  
Remedial Enforcement Support Section

Enclosure(s)

Information Request Letter of, May 03, 2002

## SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Coolidge, Wall, Womsley & Lombard  
Attn: Timothy Hoffman  
33 West First Street, Suite 600  
Dayton, OH 45402  
(re: Kathryn Boesch)

## COMPLETE THIS SECTION ON DELIVERY

A. Received by (Please Print Clearly)

B. Date of Delivery

C. Signature

X

Mel King

☐ Agent☐ Addressee

D. Is delivery address different from item 1?

☐ Yes

If YES, enter delivery address below:

☐ No

3. Service Type

☒ Certified Mail☐ Express Mail☐ Registered☐ Return Receipt for Merchandise☐ Insured Mail☐ C.O.D.

4. Restricted Delivery? (Extra Fee)

☐ Yes

2. Article Number

(Transfer from service label)

7001 0320 0005 9027 3067

**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Kathryn Boesch  
204 Whispering Willows Ct.  
Englewood, OH 45322

**COMPLETE THIS SECTION ON DELIVERY**

A. Received by (Please Print Clearly) B. Date of Delivery

S. 7-12

C. Signature

X

☐ Agent  
☐ Addressee

D. Is delivery address different from item 1? ☐ Yes

If YES, enter delivery address below: ☐ No

3. Service Type

☐ Certified Mail ☐ Express Mail  
☐ Registered ☐ Return Receipt for Merchandise  
☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? (Extra Fee) ☐ Yes

2. Article Number (Copy from service label)

700103200005 9028 7983

PS Form 3811, July 1999

Domestic Return Receipt

102595-99-M-1789

**U.S. Postal Service  
CERTIFIED MAIL RECEIPT**

(Domestic Mail Only: No Insurance Coverage Provided)

7001 0320 0005 9028 7983

Postage	\$ 1.03
Certified Fee	2.10
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	1.50
<b>Total Postage &amp; Fees</b>	<b>\$ 4.63</b>

Postmark  
Here

Sent To

Street  
or P.O. Box

City, St.

Englewood, OH 45322

SR-6J

INSTRUCTIONS